

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO

ALYSSA PORTNOY, et al.,

Case No. 1:17 CV 00834

Individually and as class action  
representative on behalf of all other  
Plaintiffs similarly situated,

JUDGE BARRETT

Vs.

**PLAINTIFFS' MOTION WITH  
SUPPORTING MEMORANDUM FOR AN  
ORDER PROHIBITING NATIONAL  
CREDIT SYSTEMS, INC. FROM  
TRANSFERRING ASSETS**

NATIONAL CREDIT SYSTEMS, INC.,

Defendant.

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Plaintiffs, through counsel, hereby move this Court for an Order prohibiting National Credit Systems, Inc. (NCS) from transferring any of its business assets, including money, from its possession during the pendency of the lawsuit. A supporting memorandum is attached hereto.

Respectfully submitted,

s/ Michael D. Portnoy  
Attorney for Plaintiffs

**MEMORANDUM IN SUPPORT**

NCS, through its representative, Ron Sapp, provided a sworn statement that NCS has no insurance coverage for any judgments that may be obtained against it from this lawsuit.

As a result, Plaintiffs, through counsel, respectfully move this Court for an Order prohibiting NCS from transferring any and all of its business assets, including yet not limited to cash, office equipment, business contracts, etc. during the pendency of this lawsuit.

Because NCS is facing a class action lawsuit, there is a genuine concern that NCS will transfer its business assets to another entity to avoid having its business assets seized to pay a potential judgment.

Ohio Revised Code Section 1336 et al. prohibits a Debtor from transferring its assets to avoid attachment from a creditor. NCS is not beyond any such behavior. As a result, Plaintiffs' request for an Order prohibiting NCS from transferring any and all of its business assets from its possession during the pendency of this lawsuit is well taken and should be granted.

Respectfully submitted,  
s/ Michael D. Portnoy  
Attorney for Plaintiffs

**CERTIFICATE OF SERVICE**

A copy of this pleading was served by e-mail to all counsel of record.

s/ Michael D. Portnoy